TOGUT, SEGAL & SEGAL LLP Attorneys for Stephen S. Gray, Not Individually But Solely in His Capacity as Chapter 11 Trustee of 96 Wythe Acquisition LLC One Penn Plaza, Suite 3335 New York, New York 10119 (212) 594-5000 Albert Togut Frank A. Oswald Bryan M. Kotliar Amanda C. Glaubach

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

AFFIDAVIT OF SERVICE OF NOTICE OF FILING OF REVISED ORDER
(A) APPROVING BID PROCEDURES FOR THE SALE OF SUBSTANTIALLY ALL
OF THE DEBTORS ASSETS; (B) ESTABLISHING PROCEDURES TO DESIGNATE
A STALKING HORSE BIDDER AND ENTER INTO A STALKING HORSE
AGREEMENT WITH BID PROTECTIONS; (C) SCHEDULING AN AUCTION AND
SALE HEARING; (D) APPROVING THE FORM AND MANNER OF NOTICE
THEREOF; (E) APPROVING PROCEDURES FOR ASSUMPTION AND
ASSIGNMENT OF CERTAIN EXECUTORY CONTRACTS AND
UNEXPIRED LEASES; AND (F) GRANTING RELATED RELIEF

STATE OF NEW YORK ) ) ss.: COUNTY OF NEW YORK )

JONATHAN COHEN, being duly sworn, deposes and says: deponent is not a party to the action, is over 18 years of age and resides in Caldwell, New Jersey.

On November 7, 2022, deponent served a copy of the Notice of Filing of Revised Order (A) Approving Bid Procedures For The Sale Of Substantially All Of The Debtors Assets; (B) Establishing Procedures To Designate A Stalking Horse Bidder and Enter Into A Stalking Horse Agreement With Bid Protections; (C) Scheduling An Auction and Sale Hearing; (D) Approving The Form and Manner Of Notice Thereof; (E) Approving Procedures For Assumption and Assignment Of Certain Executory Contracts and Unexpired Leases; and

[Concluded on following page]

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(*F*) *Granting Related Relief* [Docket No. 780] on all parties set forth on the service list annexed hereto by electronic mail.

/s/ Jonathan Cohen JONATHAN COHEN

Sworn to before me this 8<sup>th</sup> day of November, 2022

/s/ Cynthia Juliano NOTARY PUBLIC

## **SERVICE LIST:**

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